

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In Re: AUTOMOTIVE PARTS :
ANTITRUST LITIGATION : Master File No. 12-md-02311
: Hon. Marianne O. Battani

In Re: WIRE HARNESS CASES :
: :
: :
: :
THIS DOCUMENT RELATES TO:
All Cases :
:

**ORDER ON PLAINTIFFS' SUBMISSION OF DISCOVERY DISPUTES
WITH SUMITOMO DEFENDANTS**

Having reviewed Plaintiffs' Submission of Discovery Disputes with Sumitomo Defendants,¹ Sumitomo's Response to that Submission, Sumitomo's Supplemental Response to Plaintiffs' Submission of Discovery Disputes with Sumitomo Defendants, and Plaintiffs' Supplement to Submission of Discovery Disputes with Sumitomo Defendants, and having conferred with the parties at Mediations on September 24 and October 6, 2014, Master Esshaki finds as follows:

¹ Sumitomo Electric Industries, Ltd. ("SEI"), Sumitomo Wiring Systems, Ltd. ("SWS"), Sumitomo Electric Wiring Systems, Inc. ("SEWS") (including K&S Wiring Systems, Inc.) and Sumitomo Wiring Systems (U.S.A.) Inc. ("SWS-USA").

In addition to the discovery already produced to date, Sumitomo agrees to produce additional documents responsive to plaintiffs' document requests and to provide additional custodians from whom those documents will be produced. Specifically, the parties have stipulated to the following:

1. Sumitomo will produce responsive, non-privileged documents from the files of Ryo Kakuma, Tatsuya Kawakita and Yoichiro Oka. Plaintiffs do not request Sumitomo add as custodians Ryuichi Yokoyama, Mitsuomi Yamaguchi, Hiroyuki Takenaka and Bunyo Kitashiba.
2. With regard to plaintiffs' request for certain OEM and Other Customer Coverage, Sumitomo will produce responsive, non-privileged documents from the files of the following custodians:
 - a. Scott Wakefield, Maria Jhun, Andy Sleeman and Lyndsey Rogers from SWS-USA;
 - b. Hitoshi Inoue and Naoya Okuda, for the time period when each worked in SEI's Global Sales and Marketing Department; or worked in a comparable division or department that handled or had functions related to international or any non-domestic customer business; or worked on or had responsibility for business of any European customers or potential customers;

- c. Yuichi Ishiguro and Han Xinghui for the time period when each worked in SEI's Global Sales and Marketing Department; or worked in a comparable division or department that handled or had functions related to international or any non-domestic customer business; or worked on or had responsibility for business of any Korean customers or potential customers;
 - d. Masamatsu Chishima for the time period when he worked in SWS' International Business Development Division; or worked in a comparable division or department with functions related to international or any non-domestic customer business; or worked on or had responsibility for business of any European customers or potential customers;
 - e. Motoi Okishio for the time period of 2007 through 2009.
3. Given Sumitomo's addition of the custodians listed in Number 2 and in light of the additional information provided by Sumitomo, plaintiffs state that their requests for OEM and other customer coverage in their request for mediation are resolved.

The parties could not agree regarding whether Sumitomo should provide additional custodians for "business planning," as plaintiffs requested. The Special Master orders that, in addition to the two custodians that Sumitomo has already

offered on this subject, Sumitomo shall produce responsive documents from the files of Osamu Inoue, Toyoaki Hosokawa and Hiroki Ishida for the periods during which each had responsibility for or worked on business planning.

Finally, regarding plaintiffs' requests about Enterprise Resource Planning ("ERP") systems, the Special Master orders Sumitomo to provide to plaintiffs the software and version information for the BPCS system used at SEWS and the Oracle system used at SWS-USA, as well as information relating to what reports can and are being produced by the systems or other ERP systems at the Sumitomo entities. Following Sumitomo's provision of this information, the parties will continue to meet and confer regarding whether any additional custodians should be added to Sumitomo's list to provide information as to its ERP systems. To the extent that the parties cannot reach resolution on that issue, they will bring that issue again to the attention of the Special Master.

The Special Master's rulings on items on which the parties were not able to reach agreement, as set forth herein, are appealable to Judge Marianne O. Battani within 21 days of this Order.

IT IS SO ORDERED.

Dated: October 22, 2014

/s/ Gene J. Esshaki

GENE J. ESSHAKI, Special Master

CERTIFICATE OF SERVICE

I certify that on October 22, 2014, I electronically filed the foregoing Order on Plaintiffs' Submission of Discovery Disputes with Sumitomo Defendants with the Clerk of the Court using the ECF system, which will send electronic notification to all counsel of record.

Dated: October 22, 2014

/s/ Gene J. Esshaki

GENE J. ESSHAKI, Special Master

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